



December 5, 2022

***In Case You Missed It:***

[Governor DeWine Releases Status Update on Children Services Transformation; November 2022](#)

[ABA Gavel Talks: Judges Can Guard Against Wrongful Convictions Based On Faulty Science; November 22, 2022](#)

*The Ohio Judicial Conference is dedicated to serving all Ohio judges. The Judicial Conference is the voice of the judiciary & a primary resource to ensure the fair, unbiased, open & effective administration of justice.*

## Legislative News: Two-Week Review

- **HB 199** (Sen. Blessing) **Guardianship Bill**, amended in committee and voted out of the House, 12.1.22. The bill: alters the Slayer statute (prohibiting persons from benefiting by the death of another) to address situations of murder-suicide; modernizes the Guardianship Law (language from [HB 488](#)); changes the transfer of a decedent's vehicle or watercraft at public auction; authorizes Medicaid prior authorization requirements for drugs used for medication-assisted treatment; expands the law regarding involuntary treatment for mentally ill persons subject to a court order to include psychiatric deterioration (language from [HB 439](#)); modifies the qualifications for office for judges of municipal courts, county courts, courts of common pleas, courts of appeals, and justices of the Supreme Court; permits a public children services agency or private child placing agency to accept the voluntary permanent surrender of a child in the agency's temporary custody; and enacts the Scout's Honor Law to eliminate the limitations period for a civil action based on a claim of childhood sexual abuse only for purposes of filing claims against a bankruptcy estate.
- **SB 210** (Sen. Gavarone) **Post-Nuptial Agreements**, amended in committee and voted out of the House, 12.1.22. The bill regulates agreements affecting legal relations between spouses; domestic violence protection orders in a dating relationship; and courts maintaining Social Security numbers of parties in divorce, dissolution, annulment, or spousal support proceedings. The bill also removes the population limit and in-territory residency preference for appointing acting judges.
- **SB 288** (Sen. Manning) **Criminal Justice Omnibus**, amended in committee and voted out of the Senate, 11.29.22. Amendments to SB 288 made several changes, including: extending the amount of time a person has to wait before that person is eligible to request criminal records be expunged; creating the stand-alone offense of strangulation and adding strangulation to the definition of "offense of violence"; eliminating the statutes of limitation for attempt, conspiracy to or complicity in murder or agg murder (in response [to State v. Bortree](#)); making the ODRC-initiated judicial release process created in the as-introduced version of SB 288 more similar to the 80% release mechanism that exists in current law; narrowing eligibility for the "state-of-emergency" judicial release created in the as-introduced version of SB 288; narrowing eligibility to seal F3 records by capping to only one offense of that level (the as-introduced version of SB 288 would have expanded criminal record-sealing of F3 offenses without any cap); expanding the ability of APA officers to search a person on conditional pardon or parole, transitional control, other release from prison, or post-release control; and extending the length of the waiting period for expunging (not sealing) criminal records – 3 years for misdemeanor offenses and 10 years for felony offenses.
- **HB 699** (Reps. Galonski, Seitz) Criminal Justice Omnibus, substitute bill accepted, 12.1.22. A substitute bill was accepted that would make this bill identical to [SB 288](#).
- **Did you know?** The Supreme Court of Ohio Law Library can assist you and your staff with legal research needs like obtaining LSC analyses back to the early 1960s or determining when a certain word or phrase was added to an existing statute. Email your questions to [libref@sc.ohio.gov](mailto:libref@sc.ohio.gov).

**For a complete list of bills & the latest issue of *BillBoard*, please visit the [OJC website](#).**



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